

Message Text

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21

ACTION EB-07

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FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC 8547

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AMCONSUL TORONTO

LIMITED OFFICIAL USE OTTAWA 0194

E.O. 11652: N/A

TAGS: ETRD, CA

SUBJECT: ANTITRUST: INCO/ESB, INC. AND GOC ACTION AGAINST
FERTILIZER COMPANIES

REF STATE 010379

1. ASSISTANT DEPUTY MINISTER CONSUMER AND CORPORATE AFFAIRS
BERTRAND APPRECIATED FORMAL NOTIFICATION OF PLANNED ANTITRUST
ACTION AGAINST INTERNATIONAL NICKEL COMPANY AND ESB, INC.
HE HAD BEEN AWARE OF JUSTIC DEPT'S INTENTION AND EXPRESSED VIEW
THAT INFORMATION ON INCO'S OPERATIONS COMING TO LIGHT DURING ANTI-
TRUST PROCEEDINGS MAY BE RELEVANT TO POSSIBLE GOC ACTION AGAINST
COMPANY.

2. DURING CONVERSATION BERTRAND TOLD EMBOFF THAT CONSUMER
AND CORPORATE AFFAIRS DEPT IS LAYING CHARGES TODAY
(JAN 16) AGAINST SIX FERTILIZER MANUFACTURERS INCLUDING THREE
US-CONTROLLED COMPANIES, IMPERIAL OIL LTD., SHERRITT-GORDON
MINES LTD. AND SIMPLOT CHEMICAL CO. LTD., UNDER ARTICLE
32.1 (C) OF COMBINES INVESTIGATION ACT. UNDER THIS ARTICLE IT
IS AN OFFENSE FOR COMPANIES TO "CONSPIRE, COMBINE, AGREE OR
ARRANGE TO PREVENT, OR LESSEN, UNDULY, COMPETITION
IN THE PRODUCTION, MANUFACTURE, PURCHASE, BARTER, SALE,
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STORAGE, RENTAL, TRANSPORTATION OR SUPPLY OF AN ARTICLE."

3. CONSUMER AND CORPORATE AFFAIRS WILL NOTIFY DEPT OF JUSTICE
(ROSENTHAL) DIRECTLY OF ABOVE ACTION, AND PROMISED EMBASSY
COPY OF CHARGES WHEN AVAILABLE.
JOHNSON

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